

## **REGULATIONS**

### **AB 466 (The Mathematics and Reading Professional Development Program)**

#### **Adds Subchapter 21 (Sections 11980-11986, Mathematics and Reading Professional Development Program) to Chapter 11, Division 1 of Title 5, California Code of Regulations**

##### **§ 11980 Assurances of Compliance**

In addition to the assurances specified in Education Code Section 99237 (a), local educational agencies applying for program funding shall provide assurances to the State Board of Education that:

(a) the professional development was delivered by a provider or providers approved by the State Board of Education or provided by a California Professional Development Institute that incorporates professional development on instructional materials newly adopted by the State Board of Education and complies with the provisions of Education Code Section 99237 (a) (2), (b) and (f);

(b) the local educational agency has or will have by the commencement of training, instructional materials for each student that are aligned to state academic content standards in reading/language arts and mathematics in those grades and subject areas for which the local educational agency intends to receive payment for training teachers, and the local educational agency shall retain and make available for inspection for a minimum of five years documentation of when the local educational agency adopted these materials and for what grade levels;

(c) the local educational agency will provide a minimum of 20 hours of intensive professional development and a minimum of 20 hours of follow-up professional development to instructional aides and paraprofessionals.

(d) the local educational agency will retain and provide all information required for the interim and final reports to the Legislature regarding the program pursuant to Education Code Section 99240;

(e) the local educational agency will retain all records related to the professional development provided to participants in the Mathematics and Reading Professional Development Program for no less than five years, and that these records shall include, but not be limited to, the number of hours; the content; the dates of professional development taken by teachers, instructional aides, and paraprofessionals; and the names of the providers;

(f) the local educational agency shall retain professional development attendance records for teachers, instructional aides, and paraprofessionals for funding and audit purposes; the local educational agency shall obtain participant attendance signature verification at the beginning and end of each full or partial day of training, and these records shall be available for inspection.

NOTE: Authority cited: Section 99236, Education Code. Reference: Sections 60605, 99233, 99234, 99237 and 99240, Education Code.

##### **§ 11981 Teacher Eligibility**

Teachers who hold a multiple-subject credential, whose primary assignment is to teach in a classroom that is not self-contained, and who are employed in a public school, will be eligible to receive instruction in mathematics if their primary teaching assignment is mathematics and/or science and receive instruction in reading/language arts if their primary teaching assignment is reading/language arts or social science.

NOTE: Authority cited: Section 99236, Education Code. Reference: Section 99233, Education Code.

##### **§ 11982 Funding Allocation**

Funding appropriated but not expended by the end of the fiscal year may be redirected to local educational agencies that have trained more eligible teachers than the percentage funded pursuant to Education Code Section 99234 (a).

NOTE: Authority cited: Section 99236, Education Code. Reference: Section 99234, Education Code.

### **§ 11983 Instructional Materials**

(a) Instructional materials used by local educational agencies for courses usually taught in grade kindergarten through 8, including algebra, must be adopted by the State Board of Education unless otherwise authorized by the State Board of Education. Non adopted instructional materials are occasionally authorized for purchase and use by districts pursuant to the general waiver authority under Education Code Sections 33050-33053 or the petition process under the authority of Education Code Section 60200 (g). Instructional materials used by local educational agencies for courses usually taught in grades 9 through 12, including algebra II and geometry, must be adopted by the governing board of the local educational agency.

(b) Local educational agencies participating in the Mathematics and Reading Professional Development Program must provide each pupil with instructional materials that are aligned to the state content standards in mathematics by February 2002, if not piloting, or February 2003, if piloting these materials. Local educational agencies participating in the Mathematics and Reading Professional Development Program must provide each pupil with instructional materials that are aligned to the state content standards in reading/language arts by February 2003, if not piloting, or February 2004, if piloting these materials in accordance with Education Code Section 99237 (a) (3) (A) and (B).

NOTE: Authority cited: Section 99236, Education Code. Reference: Section 99237 (a) (3) (A) and (B), Education Code.

### **§ 11983.5 Definition of “Instructional Materials...Otherwise Authorized by the State Board of Education.”**

(a) As used in Education Code section 99231(c), “instructional materials...otherwise authorized by the State Board of Education” include, and are limited to, basic instructional materials as defined in Education Code 60010(a) that have been determined to be in alignment with applicable content standards through:

(1) A waiver granted by the State Board of Education after October 1, 2000, pursuant to Education Code sections 33050 and 33051, of provisions of the Schiff-Bustamante Standards-Based Instructional Materials Programs Act (Education Code sections 60450 et. seq.), or;

(2) A petition approved by the State Board of Education after May 1, 2000, pursuant to Education Code section 60200(g).

(b) In addition, if the instructional materials program used by the local educational agency (LEA) is a basic reading/language arts program (RLA), the instructional materials shall be deemed to be “otherwise authorized” provided the LEA certifies to the California Department of Education on California Department of Education form AB 466 -- Application for Funding, Fiscal Years 2001-02 and 2002-03 (6/2002) or California Department of Education form AB 466 -- Application For Reimbursement Past Training, Fiscal Years 1999-2000, 2000-2001 and 2001-2002 (5/2002), which are incorporated by reference, prior to receiving the funding, all of the following:

(1) The instructional materials were purchased by the district prior to the 2002 Reading/Language Arts/English Language Development Adoption;

(2) The LEA has in place specially designed instructional materials (component) to address the needs of English learners that is comparable to the instructional materials (component) approved and contained in the RLA/ELD programs adopted in January 2002 as approved by the Chair of the Curriculum Development and Supplemental Materials Commission or his or her designee;

(3) The LEA's specially designed component to address the needs of English learners has been approved by the State Department of Education for legal and social compliance pursuant to Education Code sections 60040-60048 and the State Board of Education's “Standards for Evaluating Instructional Materials for Social Content” (2000 Edition) which is incorporated by reference, and;

(4) The publishers have met all the requirements of Education Code section 60061, as applicable.

#### **§ 11984 Instructional Aides and Paraprofessionals**

In determining the maximum funding for training instructional aides and paraprofessionals, the Superintendent of Public Instruction shall use 2000 CBEDS data in 2001-02, and may use subsequent years CBEDS data in future years. In the event that the number of instructional aides and paraprofessionals as determined by CBEDS exceeds the maximum number to be served as defined in Education Code Section 99235 (a), the Superintendent of Public Instruction shall determine a percentage pro rata reduction and apply it to each district's number of instructional aides and paraprofessionals.

NOTE: Authority cited: Section 99236, Education Code. Reference: Section 99235 (a), Education Code.

#### **§ 11985 Participation Requirement**

The Superintendent of Public Instruction shall award funding to local educational agencies for each participant who fully meets the hour requirements of the Mathematics and Reading Professional Development Program (Article 3, Chapter 5, of Part 65 of the Education Code [Sections 99234 (h) and 99237 (b)] and Subchapter 21, Chapter 11, Division 1 of Title 5, California Code of Regulations [Section 11980 (c)]).

NOTE: Authority cited: Section 99236, Education Code. Reference: Sections 99234 (h) and 99237 (b), Education Code.

#### **§ 11986 Eligible Local Educational Agencies**

For purposes of the Mathematics and Reading Professional Development Program, a county office of education may coordinate a consortium of school districts that functions as a single local educational agency.

Note: Authority cited: Section 99236, Education Code. Reference: Sections 44579.5, 99231, and 99237 (e), Education Code.